



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION  
CITY OF CHICAGO

**AGREED BUSINESS LICENSE PLAN OF OPERATION**

**Licensee:** Five One Food Mart, Inc.  
**Premises:** 51 East 51<sup>st</sup> Street, Chicago, Illinois 60615  
**Licenses:** Retail Food Establishment and Tobacco

Pursuant to the City of Chicago Municipal Code Section 4-4-313 (d)(1), the City of Chicago Department of Business Affairs and Consumer Protection (BACP) and the above-named Licensee have agreed to the following license conditions concerning the operation of the business as a result of the community nuisance meetings beginning August 27, 2018, under 18-AT-936:

1. **Restricted Hours of Operation:** The licensed business shall be closed and the premises securely locked between the hours of 2:00 AM and 7:00 AM every day.
2. **No Loitering or Trespassing Tolerated:** Licensee shall ban unauthorized people from loitering and trespassing, and shall enforce the ban by instructing unauthorized people to leave and calling the police if they do not obey. For purposes of this provision, loiterers and trespassers are persons who do not purchase products or remain on the Premises for an extended period after making a purchase.
  - a. Licensee shall maintain signs in conspicuous places at the front and back of Premises warning individuals that loitering and trespassing are not permitted.
  - b. Licensee shall provide signed criminal trespass affidavits to BACP or any law enforcement agency.
  - c. Licensee shall attend court when notified in order to prosecute loitering, trespassing, and other violations.
3. **Incident Monitoring and Reporting:** Licensee, its agents and employees, shall be vigilant and uncompromising in preventing illegal activity from occurring on or adjacent to the Premises. In the event of any loitering, fighting, disturbances of the peace, unruly behavior, or any criminal activity occurring at or within site of the Premises, the manager on duty shall immediately call 9-1-1 via a land line located at the Premises. Licensee shall maintain an incident log identifying the offender names (if known), date, time, and brief description of any of the types of incidents described in this paragraph. The log shall be kept in management's office in the licensed Premises for a minimum of one (1) year and made available upon demand to BACP or any law enforcement agency.



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4. **Video Surveillance System:** Licensee shall maintain a video surveillance system as follows:
- a. The cameras shall be sufficiently light sensitive and provide image resolution to produce easily discernable images;
  - b. The images recorded by the cameras shall be capable of being viewed through use of compact disc, electronic file transfer, and other digital media, and shall be capable of being transferred to a variety of portable forms of media including, but not limited to, compact disc and digital video disc;
  - c. The cameras shall view and record images of persons and cars:
    - i. Along the Premises' driveways;
    - ii. Premises' entire parking lot;
    - iii. Premises' entire interior; and
    - iv. Sidewalks adjacent to Premises;
  - d. The cameras shall record discernable images from a minimum distance of fifteen (15) feet in front of and on the sides of any entrance;
  - e. Licensee shall maintain video recordings indexed by date and time for a minimum of thirty (30) days at Premises in a secured manner and made immediately available upon request of BACP or any law enforcement agency;
  - f. The cameras shall record twenty four (24) hours a day; and
  - g. Licensee will keep a log of all instances of requests for, access to, dissemination and use of, recorded material made by video surveillance cameras. Copies of the access log shall be provided to BACP or any law enforcement agency upon request.
5. **Exterior Lighting:** Licensee shall maintain adequate lighting on all sides of the Premises including any alleyway accessible by the Premises to ensure the safety of patrons and employees.
6. **Unobscured Windows:** Licensee shall ensure that signage on store windows will be limited and not obstruct a clear view to the interior.



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7. **Signage:** Licensee shall ensure all exterior signs meet the requirements of the City of Chicago Municipal Code including but not limited to Chapter 17-12, Chapter 13-96, and Chapter 13-20. Licensee shall also ensure the building does not become an eyesore in the community.
8. **Trash and Garbage Disposal:** Licensee shall remove any weeds, trash and debris outside of the business including the parking lot and the front, sides, and rear of the Premises. Licensee shall maintain a regular schedule of cleaning at least twice each day.
9. **Sale of Unstamped Tobacco Products:** Licensee agrees that it is familiar with and shall abide by Chapters 3-42-020 and 3-42-025 of the City of Chicago Municipal Code, which prohibit the sale of tobacco products without the required city and county tax stamp.
10. **Sale of Tobacco Products or Accessories by Minors Prohibited:** Licensee agrees that it is familiar with and shall abide by Chapter 4-64-345 of the City of Chicago Municipal Code and will not sell tobacco products or tobacco accessories to any individual under the age of 21 years. Licensee shall immediately institute and maintain a strict, written policy requiring employees to check the identification of all patrons purchasing tobacco to ensure compliance with the City of Chicago Municipal Code. Given that Licensee is responsible for acts of its employees, Licensee shall ensure that every employee is trained to follow this policy regarding requesting identification of all persons purchasing such tobacco merchandise prior to any employee working behind the register.
11. **Posting of Warning Sign to Minors:** Licensee agrees that it is familiar with and shall abide by Chapter 4-64-360 of the City of Chicago Municipal Code and will display a sign in a conspicuous location inside the Premises that reads, "It Is A Violation Of The Law For Cigarettes Or Other Tobacco Products Or Tobacco Accessories To Be Sold To Any Person Under The Age Of 21. Any Person Who Violates This Law Is Subject To A Fine And Possible Imprisonment."
12. **Restrictions on Hiring Persons Under 21 Years of Age:** Licensee agrees that it is familiar with and shall abide by Chapter 4-64-520 of the City of Chicago Municipal Code, which allows a retail tobacco dealer to employ a person under 21 years of age to work on the Premises IF the person under 21 years of age has no duties relating to the sale, dispensing, service, or delivery of tobacco products on the Premises.
13. **Recordkeeping:** Licensee agrees that it is familiar with, and shall abide by Chapter 4-64-500 of the City of Chicago Municipal Code, which requires a retail tobacco dealer to keep a book in which details of all purchases of cigarettes are



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recorded, and which book is available for inspection upon request by BACP or any law enforcement agency upon request.

14. **Cooperation with Inspections:** Licensee agrees that it is familiar with and shall abide by MCC 4-64-500(3) which requires the following:
- a. Licensees and their agents who sell tobacco shall present valid government-issued identification when an authorized City investigator has identified himself and requested such identification;
  - b. Licensees and their agents shall be prohibited from closing and locking safe doors and other doors, including but not limited to doors to closets and storerooms, when an authorized City investigator has identified himself and announced his intention to inspect the premises for compliance with the requirements of this Code;
  - c. Licensees and their agents shall immediately stop selling cigarettes and other tobacco products when an authorized City investigator has identified himself and announced his intention to inspect the premises for compliance with the requirements of this Code; and
  - d. Within thirty minutes of the arrival of any authorized City investigator charged with responsibility for inspecting the licensed premises, the licensee shall have a person available on site to open any locked safe or door where unstamped cigarettes may be hidden.
15. **Sale of Single Cigarettes:** Licensee agrees that it is familiar with and shall abide by Chapter 4-64-350 of the City of Chicago Municipal Code, which prohibits offering for sale or selling any cigarette or tobacco that is not in its original factory-wrapped package.
16. **Sale of Bidi Cigarettes:** Licensee agrees that it is familiar with and shall abide by Chapter 4-64-355 of the City of Chicago Municipal Code, which prohibits offering for sale or selling any bidi cigarette. Licensee further agrees to not offer for sale or sell any cigarette wrapping paper or leaf that is, or is held out to be, impregnated or scented with, or aged or dipped in, alcoholic liquor, chocolate, any fruit flavoring, vanilla or honey, in any combination.
17. **Sale of Electronic Cigarettes:** Licensee agrees that it is familiar with and shall abide by Chapter 7-32-010 of the City of Chicago Municipal Code, which includes electronic cigarettes in the definition of tobacco products thereby subjecting E-cigarettes to the same restrictions as other tobacco products.



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18. **Sale of Synthetic Marijuana and Synthetic Stimulants:** Licensee agrees that it is familiar with and shall abide by Chapters 4-4-333 and 4-4-334 of the City of Chicago Municipal Code, which prohibit the possession, sale, offering for sale, or concealment of any product containing hallucinogenic substances and synthetic stimulants, including but not limited to bath salts.
19. **CAPS and Community Meetings:** Licensee, an agent or representative shall attend all 2<sup>nd</sup> District C.A.P.S. (Community Alternative Policing Strategy) meetings, 2<sup>nd</sup> District Business Meetings, 51<sup>st</sup> Street Chamber of Commerce Meetings, and any other Alderperson requested meetings to improve awareness with community concerns in the neighborhood. Licensee shall work with the Alderperson, Chicago Police Department, and local community groups, upon reasonable notice, to identify and address any issues with the operation of the business, including noise, loitering, crime, or any other quality of life issues.

The conditions of this Agreed Business License Plan of Operation are legally binding and may be enforced by City of Chicago enforcement authorities under Section 4-4-290 of the City of Chicago Municipal Code. All other conditions of the license are governed by the City of Chicago Municipal Code. Violation of the above stated conditions may result in the imposition of a fine and/or suspension or revocation of all business licenses issued to the Licensee. Violations of the above stated conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the license.

The sale of Licensee to other persons purchasing the stock of the licensed entity shall be subject to the same conditions set forth in this Plan of Operation. Any and all potential new owners of the licensed entity shall be subject to the same conditions set forth in this document.

It shall be the duty of every person conducting, engaging in, operating, carrying on or managing the above-mentioned business entity to post this Agreed Business License Plan of Operation next to the license certificate in a conspicuous place at the business address.

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Sarhan Abdulkader, President  
Five One Food Mart, Inc.

Barbara Gressel, Deputy Commissioner  
Business Affairs and Consumer Protection

1-23-19

Date

Jan. 24, 2019

Date